

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

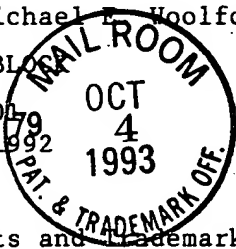
In re Application of: Michael E. Woolford

For: COMPOSITE MASONRY BLOCK

Docket No.: 3616.69-US-0179

Filed: October 6, 1992

Examiner: C. Kent



RECEIVED
OCT 06 1993
GROUP 3500

Serial No.: 07/957,598

Date: September 30, 1993

Group Art Unit: 3504

The Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

☒ Transmittal Sheet in duplicate containing certificate under 37 CFR 1.8.

☐ A certified copy of a _ application, Serial No. _, filed _, 199_, the right of priority of which is claimed under 35 U.S.C. 119.

☐ Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by verified statement previously submitted.

☐ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27.

☐ A signed Combined Declaration and Power of Attorney.

☐ A Request for Extension of Time for _ months and fee of \$_.

☐ A check in the amount of \$_, for _.

☒ A return postcard.

☒ Other: Response.

☐ Amendment ☒ No Additional fee is required _ The fee has been calculated as shown:

CLAIMS AS AMENDED

	(1) CLAIMS REMAINING AFTER AMENDMENT	# # # #	(2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(3) PRESENT EXTRA	SMALL ENTITY		<u>or</u>	OTHER	
					RATE	ADD'L FEE		RATE	ADD'L FEE
TOTAL CLAIMS		-	=		x 11 =	\$	or	x 22 =	\$
INDEPENDENT CLAIMS		-	3 =		x 37 =	\$	or	x 74 =	\$
() FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					+115 =	\$	or	+ 230 =	\$
TOTAL						\$			\$

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate copy of this sheet is enclosed.

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described hereinabove, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on this 30th day of September, 1993.

MERCHANT, GOULD, SMITH, EDELL, WELTER & SCHMIDT
1000 Norwest Center, St. Paul, MN 55101 (612-298-1055)

By:
Name: John J. Gresens
Reg. No.: 33,112
JJG:lme



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#4

3616.69-US-01

PATENT

GROUP 3500

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael E. Woolford

Examiner: C. Kent

Serial # : 07/957,598

Group Art Unit: 3504

Filed : October 6, 1992

Docket: 3616.69-US-01

Title : COMPOSITE MASONRY BLOCK

DATE OF DEPOSIT: 7/30/93

I hereby certify that this paper is being deposited in the U.S. Postal Service, as first class mail, in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

John J. Gresens
Printed Name


Signature

RESPONSE

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Dear Sir:

Applicant responds to the Office Action mailed August 30, 1993 as follows.

In the above-referenced Office Action, the Examiner requested restriction between one of three groups under 35 U.S.C. § 121. Group I comprises claims 1-16, drawn to a composite masonry block and a retaining wall, classified in Class 52, subclass 561. Group II comprises claims 17-22, drawn to a block mold assembly, classified in Class 249, subclass 52. Group III comprises claims 23-24, drawn to a method of using a block mold assembly, classified in Class 264, subclass 228.

Applicant respectfully requests Group I, claims 1-16, drawn to a composite masonry block and a retaining wall, classified in Class 52, subclass 561, with traverse. In making this restriction requirement the Examiner put forth a fairly extended rationale for the restriction requirement based upon an apparent understanding of the invention. While Applicant does not dispute that each of the three groups may claim patentably distinct inventions, Applicant does not agree with the Examiner's rationale underlying the restriction requirement. As a result, this election is made with traverse.

Further, the Examiner has also requested a further restriction amongst species between the block shown in Figures 1 and 4. Applicant respectfully elects the block of Figure 1, with traverse. Hereagain, the Examiner provided no rationale for the requirement of a further species election. Accordingly, Applicant has made the election with traverse.

Applicant requests favorable consideration of all claims now pending in this application.

Respectfully submitted,

Michael E. Woolford

By his Attorneys,

Date

9/30/93

John J. Gresens

Reg. No. 33,112

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